

**Minutes of the Overview and Scrutiny Committee
7th December, 2023 at 6.00pm
In Committee Room 2, The Council House, Priory Road, Dudley**

Present:

Councillor I Kettle (Chair)
Councillor M Hanif (Vice-Chair)
Councillors S Ali, H Bills, J Clinton, A Davies, P Dobb, J Foster, E Lawrence,
E Taylor and D Stanley

Cabinet Members (by invitation)

Councillor P Harley (Leader of the Council)
Councillor D Corfield (Cabinet Member for Highways and Environmental
Services)

Officers:

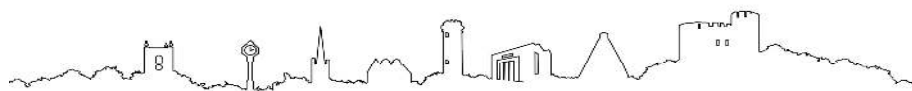
B Heran (Deputy Chief Executive), I Newman (Director of Finance and Legal),
M Farooq (Lead for Law and Governance – Monitoring Officer), N Lissimore
(Transport Strategy Manager), D Hubbard (Policy Lead – Transport) and
S Griffiths (Democratic Services Manager – Scrutiny Officer).

17 **Apologies for Absence**

There were no apologies for absence.

18 **Appointment of Substitute Members**

There were no substitute Members appointed for this meeting.



19 **Declarations of Interest**

No member made a declaration of interest in accordance with the Members' Code of Conduct.

20 **Minutes**

Resolved

That the minutes of the meeting held on 19th October, 2023 be confirmed as a correct record and signed.

21 **Public Forum**

No issues were raised under this agenda item.

22 **Overview and Scrutiny Arrangements 2023/24**

Further to Minute No. 13 of the meeting held on 19th October, 2023, a report of the Lead for Law and Governance was submitted on the development of the Council's Overview and Scrutiny Arrangements for 2023/24.

The Democratic Services Manager gave a brief overview of the report. The Deputy Chief Executive then gave a presentation on the key findings of the Local Government Association (LGA) Corporate Peer Challenge report, which would be considered by the Cabinet on 13th December, 2023. The presentation slides would be made available for Members online.

Councillor D Stanley referred to procurement and the need to ensure that the Council obtained best value from contractors who worked for the authority. The Deputy Chief Executive referred to the ongoing work of the Procurement Team and the Commercial Team and the complementary role of the Spending Controls Group which had recently been established. In response to further comments from Councillor D Stanley, the Deputy Chief Executive acknowledged the importance of the visitor economy and tourism and the need for an effective and joined-up partnership approach to marketing with the private sector and the business community.

Councillor J Foster referred to the future role of the Overview and Scrutiny Committee in relation to scrutinising the actions taken to implement the findings of the LGA report. The report raised cross-cutting issues of corporate significance and it would be appropriate to incorporate this item in the future work programme of this Committee. In relation to the implementation timetable, the Deputy Chief Executive reported on ongoing meetings and the Overview and Scrutiny Committee would receive progress updates. The Director of Finance and Legal confirmed that the Medium-Term Financial Strategy would be reported to the Overview and Scrutiny Committee on 25th January, 2024.

In response to a question from the Vice-Chair (Councillor M Hanif), the Deputy Chief Executive confirmed details of the appointments made to the Independent Assurance Board.

In the context of the spending controls and the additional meetings taking place, Councillor A Davies expressed concern that the Council should avoid a culture of delay and should remain efficient in making decisions and delivering services. The Director of Finance and Legal reported on the balanced approach being taken to the spending controls. The spending control principles applied to all levels of expenditure to ensure a focus on essential spending only. Work was ongoing to clarify the levels at which decisions were taken to avoid unnecessary delays and to ensure operational efficiency. The Chair (Councillor I Kettle) supported the comments made by Councillor A Davies.

Councillor E Taylor referred to the need for clear accountability concerning the standard of road maintenance work and the reason why the Council was paying twice for the same job in some instances. The Leader (Councillor P Harley) and the Cabinet Member for Highways and Environmental Services (Councillor D Corfield) invited Members to email any specific issues to them. Councillor D Corfield also referred to the contractual arrangements which now included a five-year warranty to ensure that contractors and sub-contractors rectified any defective work and make sure that the Council was only charged once for a specific job.

Councillor J Foster commented that the issue raised by Councillor E Taylor was also relevant to the item on traffic congestion and the impact on the Dudley economy (see Minute No. 23 below). The Chair (Councillor I Kettle) commented that issues could also be raised at the Highways and Environmental Services Select Committee. The Chair of that Select Committee (Councillor E Lawrence) reported on the discussions that had already taken place on this subject with a view to implementing improvements and new ways of working.

Three meetings of the Independent Assurance Board had taken place and the Leader (Councillor P Harley) commented positively on the progress made with cross-party discussions. Councillor J Foster supported these comments and emphasised the need to focus on outcomes in a relatively short timescale given the scale of the challenges involved.

Councillor H Bills referred to issue of 'silo-working' as identified in the LGA report and emphasised the importance of addressing this culture to ensure the Council worked more constructively in the future.

Councillor S Ali supported comments made previously concerning the importance of the visitor economy and the need to effectively 'package together' and promote what the Borough had to offer including its visitor-attractions.

Councillor S Ali commented on the significant financial, governance, culture, capacity and structural issues identified in the LGA report. The report was considered a 'reality check' and the action required represented a massive undertaking, including the extent and scope of workstreams affecting regeneration, children's services and adult social care. It was important that this Committee continued to scrutinise the outcomes and improvements to ensure the Independent Assurance Board was making a difference.

The Leader (Councillor P Harley) commented that work to promote tourism was being undertaken by West Midlands Growth Company and West Midlands Tourism and Hospitality Advisory Board and noted that the Council's activities were subject to ongoing financial constraints.

Councillor J Foster referred to the need to summarise the outcomes of the Scrutiny Committee's discussions and agree recommendations. Following a debate, it was considered beneficial that the Deputy Chief Executive present an interim report on the progress of the Independent Assurance Board to the meeting of this Committee on 25th January, 2024.

The Committee referred to the LGA recommendation to keep the scrutiny function under review, including the work programme, and to ensure that there were adequate resources in place so that it was fit for purpose. It was noted that further work was necessary to develop the Council's scrutiny arrangements. The Chair referred to the options to deal with scrutiny 'call-ins' and, following a lengthy discussion, the matter was put to a vote.

Resolved

- (1) That the presentation and briefing on the Local Government Association Corporate Peer Review, prior to its consideration by the Cabinet on 13th December, 2023, be noted.
- (2) That the Deputy Chief Executive present an interim report on the progress of the Independent Assurance Board to the meeting of the Overview and Scrutiny Committee on 25th January, 2024.
- (3) That the publication of the Government's Scrutiny Protocol for English Institutions with Devolved Powers, as set out in the Appendix to the report, be noted.
- (4) That Option 2 for dealing with Scrutiny Call-Ins, as set out in the report, be recommended for adoption whereby Scrutiny Call-Ins will continue to be referred to and determined by the appropriate Select Committee.
- (5) That revised versions of Article 6 of the Constitution and the associated Scrutiny Procedure Rules be submitted to the Council as part of the Annual Review of the Constitution.

23 Traffic Congestion and the Impact on the Dudley Economy

Prior to consideration of this item, Councillor J Foster queried the reason why this item had been included on the agenda for the Overview and Scrutiny Committee. The Chair indicated that traffic congestion had an impact on a range of issues such as the quality of life of residents, the environment and the local economy. As a cross-cutting issue this was considered a relevant agenda item.

It was noted that a report had previously been considered by the Highways and Environmental Services Select Committee. Councillor J Foster expressed concerns and disappointment about the process for scrutiny work programming and the operation of scrutiny generally and would be making further representations in this regard. It was also requested that additional training be arranged for the Committee in due course.

The Committee received a presentation on the Dudley Highway Network Performance. The presentation slides would be made available to Members on the Internet.

Councillor D Stanley referred to specific examples where temporary lights were causing significant traffic delays. Councillor Stanley referred to the need to enforce fines when companies failed to complete scheduled works on time. There were consequential issues for buses not running according to published timetables and particular issues outside schools at peak times. The situation could be improved by the better co-ordination of programmed street works.

Councillor E Taylor raised concerns about traffic congestion and local knowledge, which led to 'rat-running' causing pollution and particular problems on estates, which needed to be addressed.

Councillor A Davies supported the key strategic importance of dealing with traffic congestion and felt that it was appropriate for this issue to be considered by the Overview and Scrutiny Committee. This enabled all the issues and consequences to be considered as a whole, rather than individual Select Committees considering aspects that were only relevant to their remit. There was a need to promote better understanding of road usage in the future and shape the way devolved funding allocated to West Midlands Combined Authority could be used to tackle specific problems of congestion and improve traffic flow in Dudley Borough. Transport for West Midlands should also be engaged in the discussion of issues that were specifically relevant to the Borough.

The Chair (Councillor I Kettle) commented that the presentation highlighted the significance of this issue in terms of the economic impact, environmental pollution, health implications and the impact on quality of life. He thanked the Officers for the presentation and requested further statistical information in the future.

Councillor S Ali acknowledged the issues and commented on the importance of action to alleviate the problems. Reference was made to optimising traffic light signals which affected traffic flow. It had been reported that the air quality plan was last reviewed in 2016 and an update had been requested by the Audit and Standards Committee. Councillor Ali also commented on safety issues including the policy and process for traffic calming/safety measures.

Councillor P Dobb (Chair of the Climate Change Select Committee) indicated that a report had been submitted to the Climate Change and Environment Scrutiny Committee in September, 2022 concerning the monitoring of air quality in the Borough. He would request that a copy of the report be provided.

Councillor J Foster referred to the need to consider the approach to the scrutiny of this thematic issue and suggested that, if it was decided to undertake future detailed scrutiny, this should involve submissions from the Acting Service Director (Environment), the Mayor of West Midlands Combined Authority, along with other subject matter experts, with a view to formulating recommendations.

Councillor A Davies commented on issues of speed and safety in the context of the efficiency of traffic flow and discussions with Officers concerning the installation of average speed cameras on the A461 (Brettell Lane) to change driver behaviour and the need to take a joined-up approach to tackling the various issues involved.

Officers responded to questions from Councillor E Lawrence concerning the effectiveness and expenditure on individual traffic flow schemes and the situation where existing roads could not deal with the volumes of traffic. Reference was made to parking/traffic issues at Russells Hall Hospital and the need for the Council to work collaboratively with other organisations. Councillor Lawrence also referred to the scope for an Artificial Intelligence (AI) enabled traffic signal network in the future. The size and complexity of the issues involved were acknowledged.

Councillor H Bills commented on traffic and parking issues in the vicinity of schools and the need for clear and effective road markings and lines.

Councillor J Foster commented further on the scrutiny process and the lack of a report with clear recommendations. She queried the plan moving forward and repeated the need to develop a clear scope for the scrutiny exercise and invite key participants including the Mayor of the West Midlands Combined Authority, Lead Council Officers on Climate Change and Highways, relevant Cabinet Members and others that may be identified.

The Cabinet Member for Highways and Environmental Services (Councillor D Corfield) acknowledged the key points raised by Members during the meeting. Issues were frequently raised by residents concerning the condition of roads. He commented on the size and scale of the national and regional issues involved. A proactive repair, resurfacing and highway maintenance programme had been developed alongside improved working methods to make the most effective use of resources. He acknowledged the considerable ongoing work and progress and welcomed future scrutiny.

The Vice-Chair (Councillor M Hanif) expressed the view that any future scrutiny work on this topic should be focussed and avoid duplication with work undertaken by the Highways and Environmental Services Select Committee.

Councillor D Stanley commented on potential congestion issues in and around King Street and Trindle Road, Dudley arising from the Metro and bus station developments in Dudley Town Centre. Officers indicated that this issue was under active consideration.

The Chair (Councillor I Kettle) referred to recent discussions at a public meeting concerning the ticket office at Stourbridge station, which had highlighted issues around commuting, the economic impact and the effect on the wellbeing of residents.

At the conclusion of the meeting, the Chair (Councillor I Kettle) undertook to include an item in the future work programme to undertake a detailed scrutiny exercise in relation to this topic.

Resolved

- (1) That the report and presentation be noted.
- (2) That the issue of traffic congestion be included in the future scrutiny work programme with a view to a detailed scrutiny exercise being undertaken on this topic in the future.

24 **Questions Under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

The meeting ended at 8.30pm

CHAIR